AUG 1 6 2004 Please type a plus sign (+) inside this box \rightarrow +

2141

PTO/SB/21 (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

09/636,004

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Application Number

TRANSMITTAL Filing Date Aug 09, 2000 **FORM** del Val First Named Inventor Group Art Unit (to be used for all correspondence after initial filing) 2141 SHAW, JOSEPH D Examiner Name Total Number of Pages in This Submission Attorney Docket Number MS1-542US **ENCLOSURES** (check all that apply) After Allowance Communication Assignment Papers Fee Transmittal Form to Group (for an Application) Appeal Communication to Board Fee Attached Sheets Drawing(s) of Appeals and Interferences Licensing-related Papers Appeal Communication to Group Amendment / Reply (Appeal Notice, Brief, Reply Brief) Petition After Final Proprietary Information Petition to Convert to a Affidavits/declaration(s) Provisional Application Status Letter Power of Attorney, Revocation Change of Correspondence Other Enclosure(s) (please Extension of Time Request Address identify below): Terminal Disclaimer Return Receipt Post Card; PTO Form 1449; (7) references **Express Abandonment Request** Request for Refund Information Disclosure Statement CD, Number of CD(s). Certified Copy of Priority Document(s) Remarks Response to Missing Parts/ 22801 Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Kasey C. Christie, Reg. No. 40,559 Individual name Signature Date CERTIFICATE OF MAILING hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage of first an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: Laurie S. Morgan Typed or printed name Date Signature

PTO/SB/17 (10-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE perwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

EE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)	180	.00

Complete if Known							
Application Number 09/636,004							
Filing Date	Aug 09, 2000						
First Named Inventor	del Val						
Examiner Name	SHAW, JOSEPH D						
Art Unit	2141						
Attorney Docket No.	MS1-542US						

METH	OD OF PA	YMENT (check all that	t apply)	FEE CALCULATION (continued)					
Check	Credit care	d Money Oth	er None	3. ADDITIONAL FEES					
✓ Deposit A	Account:	Older		Large Entity Small Entity					
Deposit		12-0769		Fee Code		Fee Code	Fee (\$)	Fee Description	Fee Paid
Account Number		12-0703		1051	130	2051	65	Surcharge - late filing fee or oath	
Deposit Account	L	ee & Hayes, PLLC		1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
Name The Director is	authorized t	to: (check all that apply)		1053	130	1053	130	Non-English specification	
	(s) indicated b		verpayments	1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
✓ Charge any	additional fee	e(s) or any underpayment o	f fee(s)	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
Charge fee(elow, except for the filing	fee	1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
to the above-luc		CALCULATION		1251	110	2251	55	Extension for reply within first month	
1. BASIC FI		CALCULATION		1252	420	2252	210	Extension for reply within second month	
Large Entity S				1253	950	2253	475	Extension for reply within third month	
	Fee Fee Code (\$)	Fee Description	Fee Paid	1254	1,480	2254	740	Extension for reply within fourth month	
	2001 385	Utility filing fee		1255	2,010	2255	1,005	Extension for reply within fifth month	
1002 340	2002 170	Design filing fee		1401	330	2401	165	Notice of Appeal	
1003 530	2003 265	Plant filing fee		1402	330	2402		Filing a brief in support of an appeal	
	2004 385	Reissue filing fee		1403	290	2403		Request for oral hearing	-
1005 160	2005 80	Provisional filing fee	لــــــــــــــــــــــــــــــــــــــ	1451		1451	•	Petition to institute a public use proceeding	
·		SUBTOTAL (1) (\$) 0	.00	1452 110 2452 55 Petition to revive - unavoidable					
2. EXTRA C	CLAIM FEE	S FOR UTILITY AN	D REISSUE	1453 1,330 2453 665 Petition to revive - unintentional 1501 1,330 2501 665 Utility issue fee (or reissue)				ļ <u> —</u>	
		Fee from Ext <u>ra Claims</u> below		1502	480	2502		Utility issue fee (or reissue) Design issue fee	
Total Claims	-20	0** = X] =	1503	640	2503		Plant issue fee	
Independent Claims		3** = X	<u> </u>	1460	130	1460	130	Petitions to the Commissioner	
Multiple Deper	ndent		J ₹	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)	
Large Entity Fee Fee	Small Entit	Y Fee Description		1806	180	1806	180	Submission of Information Disclosure Stmt	180
Code (\$) 1202 18	Code (\$) 2202	9 Claims in excess of 20	1	8021	40	802 ⁻	1 40	Recording each patent assignment per property (times number of properties)	
1202 16		3. Independent claims in		1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1203 290	2203 14	·		1810	770	2810	385	For each additional invention to be	
1204 86	2204 4	3 ** Reissue independer over original patent	nt claims	1801	770	2801	205	examined (37 CFR 1.129(b)) Request for Continued Examination (RCE)	
1205 18	2205	9 ** Reissue claims in ex and over original pat		1802	900	1802	900	•	
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SUBMITTED BY (Complete (if applicable)) Registration No. Name (Print/Type) C. Christie 40,559 Telephone (509) 324-9256 (Attorney/Agent) Date Signature

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the

USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No	
Filing Date	
Confirmation No.	
Inventorship	del Val
Applicant	Microsoft Corporation
Group Art Unit	
Examiner	
Attorney's Docket No	MS1-542US
Title: Fast Dynamic Measurement of Connection Bandwidth	

INFORMATION DISCLOSURE STATEMENT

References -- See Attached Form PTO-1449

Commissioner for Patents To:

PO Box 1450

Alexandria, VA 22313-1450

Kasey C. Christie (Tel. 509-324-9256; Fax 509-323-8979) From:

Lee & Hayes, PLLC

421 W. Riverside Avenue, Suite 500

Spokane, WA 99201

The attached form PTO-1449 is submitted in compliance with Applicant's duty of disclosure under 37 CFR §1.56. The Examiner is requested to make these citations of official record in this application.

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 as set forth in 37 CFR §1.17(p).

By:

Christie Reg. No. 40,559

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LEE & HAYES, PLLC

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(Substitute for form 1449A/PTO	15-1	omplete if Known	
	INFORMATION DISCLOSURE	Application Number	09/636,004	
	INFORMATION DISCLOSURE	Filing Date	Aug 09, 2000	
	STATEMENT BY APPLICANT	First Named Inventor	del Val	
		Group Art Unit	2141	
	(use as many sheets as necessary)	Examiner Name	SHAW, JOSEPH D	
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Attorney Docket Number

MS1-542US

Sheet

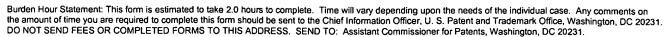
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	U.S. PATENT DOCUMENTS								
Examiner Initials	Cite No.1	Number .	nent Code²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		6385647		Willis et al.	05/07/2002				
		6405256		Lin et al.	06/11/2002				
		6449269		Edholm	09/10/2002				
		20020047899		Son et al.	04/25/2002				
		20020049817		Drory et al.	04/25/2002				
	-	20020090027		Karczewicz et al.	07/11/2002				
		20030018799		Eyal	01/23/2003				
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	FOREIGN PATENT DOCUMENTS										
Examiner Initials*	Cite No.1	Foreign Patent Document Office ³ Number ⁴ (if known)		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶				
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Examiner	Date	
Signature	Considered	

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.



^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.